

HOUSE BILL 824

By Dunn

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 10, Part 1, relative to excluding personal  
identifying information from police reports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 1, is amended by  
adding the following as a new section:

§ 55-10-119.

(a) As used in this section, "personal identifying information" means any  
name or number that may be used, alone or in conjunction with any other  
information, to identify a specific individual, including:

(1) Name, social security number, date of birth, official state or  
government issued driver license or identification number, alien  
registration number, passport number, employer or taxpayer identification  
number; and

(2) Address, post office box number, electronic mail address, or  
telephone number.

(b) Notwithstanding the provisions of this part or § 10-7-503 to the  
contrary, except as provided in subsection (c) any personal identifying  
information contained in a motor vehicle accident report compiled and maintained  
pursuant to this part shall be confidential and not open for public inspection. This  
subsection shall apply regardless of whether the report is maintained by the  
department of safety in Nashville, by one of the various district offices of the  
Tennessee highway patrol or by a local law enforcement agency.

(c) The following persons and entities shall be entitled to obtain from the commissioner of safety in Nashville or from a local law enforcement agency a copy of a motor vehicle accident report, which includes all personal identifying information:

- (1) The driver or owner of a vehicle involved in the accident;
- (2) Any person injured or whose property is damaged or destroyed as the result of the accident or any such person's attorney or designated representative;
- (3) The parent or guardian of the driver or owner of a vehicle if such driver is a minor;
- (4) An attorney retained to represent a driver, owner or a person injured or damaged by a driver;
- (5) A person, company, financial or other institution that holds a security interest in a vehicle involved in the accident;
- (6) An insurance company or agent whose client is a driver or owner of a vehicle involved in the accident;
- (7) A health care institution or professional when necessary for treatment purposes;
- (8) A law enforcement agency, officer, or district attorney general, employee of the department of safety, or any other state or local governmental agency when necessary for official purposes; or
- (9) Any other person or entity a driver or owner designates in writing.

(d) Any copy of an accident report sent pursuant to subsection (c) shall exclude any information regarding automobile liability insurance. In addition, a

copy of any accident report sent to a person or entity other than pursuant to subsection (c) shall have all personal identifying information redacted by the agency that provides such report.

(e) The commissioner and each law enforcement agency shall be authorized to designate a form for requesting accident reports and to set a reasonable administrative fee for providing each such report. Such fee shall not exceed five dollars (\$5.00) per report.

SECTION 2. Tennessee Code Annotated, Section 55-10-108, is amended by deleting the second sentence of subsection (d) and substituting instead the following:

Except as provided in § 55-10-119, a forwarded report filed under subsection (b) shall not be considered confidential within the meaning of § 55-10-114(a).

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.